

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

UMAÑA *et al.*

Application No.: 10/761,435

Filed: January 22, 2004

For: **Fusion Constructs and Use of Same
to Produce Antibodies With
Increased Fc Receptor Binding
Affinity and Effector Function**

Confirmation No.: 3728

Art Unit: 1633

Examiner: Burkhardt, Michael D.

Atty. Docket: 1975.0180003/TJS/T-M/M-N

Reply to Notice of Non-Compliant Amendment (37 C.F.R. § 1.121)

Attn: Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-Compliant Amendment dated August 1, 2008, Applicants submit the following revised claim amendment, now correctly identifying claim 65 with the appropriate amendment markings. In compliance with 37 C.F.R. § 1.121, only the corrected section of the non-compliant Amendment is being submitted. The Amendment and Reply filed on February 5, 2008 (not April 18, 2008, as indicated in the Notice of Non-Compliant Amendment), is incorporated herein by reference in its entirety.

The Amendment to the claims (correcting the amendment markings) begin on page 2 of this paper. The Remarks begin on page 39.

If additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R.

§ 1.136(a), and any fees required therefore are hereby authorized to be charged to our
Deposit Account No. 19-0036.